



APPLICATION SPECIAL USE PERMIT

ADMINISTRATIVE CHANGE OF OWNERSHIP
OR MINOR AMENDMENT

☐ Change of Ownership

☒ Minor Amendment

[must use black ink or type]

PROPERTY LOCATION: 300 Montgomery Street Alexandria 22314

TAX MAP REFERENCE: 55.03 - 1, 3, 4, 5, 6, 7, 8, 9, 10 ZONE CRMU-X

APPLICANT

Name: Bruce Machanic

Address: 300 Montgomery Street Alexandria 22314

PROPERTY OWNER

Name: Montgomery Center, A Virginia Limited Partnership

Address: 300 Montgomery Street Alexandria 22314

SITE USE: Amendment to existing umbrella SUP to allow for increase in allowable footage for commercial school, reduction in retail and personal service.

☐ **THE UNDERSIGNED** hereby applies for a Special Use Permit for **Change in Ownership**, in accordance with the provisions of Article XI, Division A, Section 11-503 (5)(f) of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

☐ **THE UNDERSIGNED**, having read and received a copy of the special use permit, hereby agrees to comply with all conditions of the current special use permit, including all other applicable City codes and ordinances.

☒ **THE UNDERSIGNED** hereby applies for a Special Use Permit for **Minor Amendment**, in accordance with the provisions of Article XI, Division A, Section 11-509 and 11-511 of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

☐ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby requests this special use permit. The undersigned also attests that all of the information herein required to be furnished by the applicant are true, correct and accurate to the best of his/her knowledge and belief.

Bruce Machanic

Print Name of Applicant or Agent

300 Montgomery Street

Mailing/Street Address

Alexandria VA 22314

City and State

Zip Code

Bruce M. Machanic

Signature

703 836-8066 703 836-8091

Telephone #

Fax #

bmachanic@mreproperties.com

Email address

December 22, 2011

Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

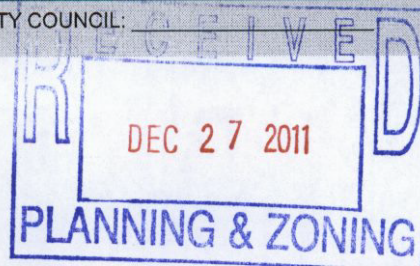
Application Received: _____

Legal advertisement: _____

ACTION - PLANNING COMMISSION _____

Fee Paid: \$ _____

ACTION - CITY COUNCIL: _____



The following information must be furnished to the Department of Planning and Zoning to determine if the current use conducted on the premises complies with the special use permit provisions and all other applicable codes and ordinances.

1. Please describe prior special use permit approval for the subject use.

Most recent Special Use Permit # 2007-0058

Date approved: Sept / 15 / 2007
month day year

Name of applicant on most recent special use permit Bruce Mechanic

Use Blanket SUP

2. Describe below the nature of the *existing* operation *in detail* so that the Department of Planning and Zoning can understand the nature of the change in operation; include information regarding type of operation, number of patrons served, number of employees, parking availability, etc. (Attach additional sheets if necessary.)

We are requesting an increase in the amount of allowable square footage and maximum student count for commercial school to primarily accommodate an anticipated relocation of the Art League School from the waterfront area to our building. We would like to increase commercial schools ^{allowance} from 30,000 sqft to 35,000 sqft and the student count from 125 to 175. In exchange we will be lowering the allowable retail footage from 30,000 sqft to 25,000 sqft and the allowable personal service from 15,000 sqft to 12,500 sqft, as noted on chart provided.

Montgomery Center

Actual Usage Breakdowns

As of December 1, 2011

Proposed

Address	Tenant	Total Sq/Ft	Usage	Current Office	Current P.Service	Current Retail	Current Food Svc	Current School	Current Students (School)	Usage	Current Office	Current P.Service	Current Retail	Current Food Svc	Current School	Current Students (School)
Common Areas,unleased		1,322	School	0	0	0	0	0	0	School	0	0	0	0	0	0
318 Mo. Language Stars		5,850	Office	0	0	0	0	3,450	30	Office	0	0	0	0	3,450	30
314 Mo. Sacred Spaces		5,500	Office	5,500	0	0	0	0	0	Office	5,500	0	0	0	0	0
312 Mo. W.Savage		600	Office	600	0	0	0	0	0	Office	600	0	0	0	0	0
312 Mo. Totten Comm		1,606	Office	1,606	0	0	0	0	0	Office	1,606	0	0	0	0	0
312 Mo. Foresters		830	Office	830	0	0	0	0	0	Office	830	0	0	0	0	0
310 Mo. HIDA		8,410	Office	8,410	0	0	0	0	0	Office	8,410	0	0	0	0	0
302 Mo. WheelNuts		1,000	P.Service	0	1,000	0	0	0	0	P.Service	0	1,000	0	0	0	0
300 Mo. MRE		700	Office	815	0	0	0	0	0	Office	815	0	0	0	0	0
300 Mo. Austin-Ku.		1,270	Office	1,270	0	0	0	0	0	Office	1,270	0	0	0	0	0
300 Mo. Int. Wellness		850	Office	850	0	0	0	0	2	Office	850	0	0	0	0	2
300 Mo. RKG Assoc		1,311	Office	1,311	0	0	0	0	0	Office	1,311	0	0	0	0	0
300 Mo. Riverside Y of		650	P.Service	0	650	0	0	0	0	P.Service	0	650	0	0	0	0
300 Mo. Didion		480	Office	480	0	0	0	0	0	Office	480	0	0	0	0	0
300 Mo. Broccadiant		402	Office	285	0	0	0	0	0	Office	285	0	0	0	0	0
826 Fx. Salon		1,870	P.Service	0	1,870	0	0	0	0	P.Service	0	1,870	0	0	0	0
822 Fx. Perks		2,287	Food	0	0	0	2,287	0	0	Food	0	0	0	2,287	0	0
820 Fx. MNB Art		1,650	P.Service	0	1,650	0	0	0	0	P.Service	0	1,650	0	0	0	0
316 Mo. Vacant+core		2,400	TBD	0	0	0	0	0	0	TBD	0	0	0	0	0	0
816 Fx. Renaissance		4,700	Retail	0	0	4,700	0	0	0	Retail	0	0	4,700	0	0	0
814 Fx. Bruscato		1,650	Food	0	0	0	1,650	0	0	Food	0	0	0	1,650	0	0
810 Fx. Dale Photo		2,274	Retail	0	0	2,274	0	0	0	Retail	0	0	2,274	0	0	0
808 Fx. Future		0	Retail	0	0	0	0	0	0	Retail	0	0	0	0	0	0
Rear Fx. Vacant		1,252	Office	0	0	0	0	0	0	Office	0	0	0	0	0	0
806 Fx. Pack n Ship		971	P.Service	0	971	0	0	0	0	P.Service	0	971	0	0	0	0
802 Fx. Au Domaine		1,056	Retail	0	0	1,056	0	0	0	Retail	0	0	1,056	0	0	0
800 Fx. Kim Dress		1,250	P.Service	0	1,250	0	0	0	0	P.Service	0	1,250	0	0	0	0
305 Ma. Art League		12,968	School	0	0	0	0	12,968	44	School	0	0	0	0	12,968	44
315 Ma. Lucia		2,600	Food	0	0	0	2,600	0	0	Food	0	0	0	2,600	0	0
801 Ro. Lucia		800	Food	0	0	0	800	0	0	Food	0	0	0	800	0	0
805 Ro. CrossFit		3,725	School	0	0	0	0	3,725	25	School	0	0	0	0	3,725	25
807 Ro. Setcho Karate		2,100	School	0	0	0	0	2,100	20	School	0	0	0	0	2,100	20
809 Ro. Peer Insight		4,700	Office	4,700	0	0	0	0	0	Office	4,700	0	0	0	0	0
809 Ro. Art League Adv		6,350	TBD	0	0	0	0	0	0	TBD	0	0	0	0	0	0
809 Ro. Vacant-rear		3,600	TBD	0	0	0	0	0	0	TBD	0	0	0	0	0	0
815 Ro. NewTarget		2,950	Office	2,950	0	0	0	0	0	Office	2,950	0	0	0	0	0
815 Ro. Larder Klein		2,450	Office	2,450	0	0	0	0	0	Office	2,450	0	0	0	0	0
815 Ro. Amer.Cour.		500	Office	500	0	0	0	0	0	Office	500	0	0	0	0	0

Total Bldg Sq. Footage	95,144	Actual	32,557	7,391	8,030	7,337	22,243	121			32,557	7,391	8,030	7,337	28,593	156
		Allowance	35,000	15,000	30,000	10,000	30,000	125			35,000	12,500	25,000	10,000	35,000	175
			Office	.Service	Retail	Food Svc	School Students				Office	.Service	Retail	Food Svc	School Students	

3. Describe any proposed changes to the business from what was represented to the Planning Commission and City Council during the special use permit approval process, including any proposed changes in the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, any noise emitted by the use, etc. (Attach additional sheets if necessary)

N/A

4. Is the use currently open for business?



Yes



No

If the use is closed, provide the date closed.

month_____
day_____
year

5. Describe any proposed changes to the conditions of the special use permit:

N/A

6. Are the hours of operation proposed to change?



Yes



No

If yes, list the current hours and proposed hours:

Current Hours:

Proposed Hours:

7. Will the number of employees remain the same?



Yes



No

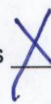
If no, list the current number of employees and the proposed number.

Current Number of Employees:

Proposed Number of Employees:

N/A

8. Will there be any renovations or new equipment for the business?

☐ Yes

No

If yes, describe the type of renovations and/or list any new equipment proposed.

By tenant

9. Are you proposing changes in the sales or service of alcoholic beverages?

☐ Yes☐ No

If yes, describe proposed changes:

N/A

10. Is off-street parking provided for your employees?

☐ Yes ☒ No

If yes, how many spaces, and where are they located?

11. Is off-street parking provided for your customers?

☐ Yes ☒ No

If yes, how many spaces, and where are they located?

12. Is there a proposed increase in the number of seats or patrons served?

☐ Yes ☐ No

If yes, describe the current number of seats or patrons served and the proposed number of seats and patrons served. For restaurants, list the number of seats by type (i.e. bar stools, seats at tables, etc.)

Current:

N/A

Proposed:

<hr/>	<hr/>
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13. Are physical changes to the structure or interior space requested?

☐ Yes ☐ NoIf yes, attach drawings showing existing and proposed layouts. In both cases, include the floor area devoted to uses, i.e. storage area, customer service area, and/or office spaces. N/A

14. Is there a proposed increase in the building area devoted to the business?

☐ Yes ☐ No

If yes, describe the existing amount of building area and the proposed amount of building area.

Current:

N/A

Proposed:

<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

15. The applicant is the (check one)



Property owner



Lessee



other, please describe:

16. The applicant is the (check one)

☐ Current business owner☐ Prospective business owner

other, please describe:

Landlord

17. Each application shall contain a clear and concise statement identifying the applicant, including the name and address of each person owning an interest in the applicant and the extent of such ownership interest. If the applicant, or one of such persons holding an ownership interest in the applicant is a corporation, each person owning an interest in excess of ten percent (10%) in the corporation and the extent of interest shall be identified by name and address.

For the purpose of this section, the term "ownership interest" shall include any legal or equitable interest held in the subject real estate at the time of the application. If a nonprofit corporation, the name of the registered agent must be provided.

Please provide ownership information here:

Bruce Machanic	65%
Darrie H Richards	30%
Roger Machanic	5%

Docket Item #7
SPECIAL USE PERMIT #2007-0058

Planning Commission Meeting
September 6, 2007

ISSUE: Consideration of a request for an amendment to an umbrella SUP to increase the allowable square footage for retail and commercial school in exchange for a reduction in the allowable square footage for office and personal services.

APPLICANT: Bruce Machanic

STAFF: Richard W. Bray
Richard.bray@alexandriava.gov

LOCATION: 300 Montgomery Street
Montgomery Center

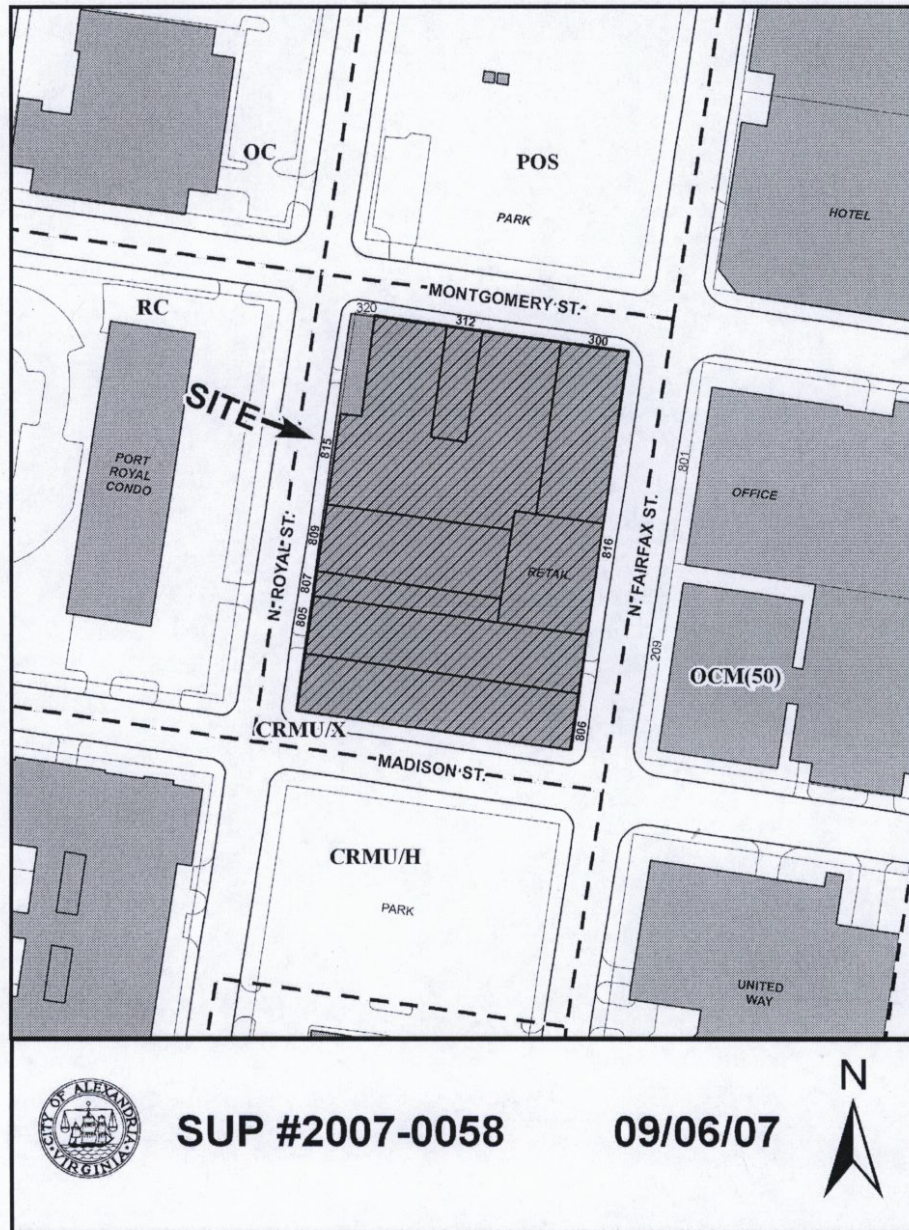
ZONE: CRMU-X/Commercial Residential Mixed Use

CITY COUNCIL ACTION, SEPTEMBER 15, 2007: City Council approved the Planning Commission recommendation.

PLANNING COMMISSION ACTION, SEPTEMBER 6, 2007: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.



I. DISCUSSION

REQUEST

The applicant, Bruce Machanic, requests an amendment to special use permit #2004-0080 to transfer square footage from office and personal service uses to retail and commercial school uses.

SITE DESCRIPTION

The subject property is one lot of record which encompasses most of an entire city block with approximately 250 feet of frontage along Madison and Montgomery Streets, and 362 feet of frontage along North Fairfax and North Royal Streets. This property is developed by the Montgomery Center, which is a collection of one and two story office/retail/warehouse buildings with 95,701 square feet of interior space. The center has a wide range of uses, including retail, personal service, office and restaurant uses.



BACKGROUND

In June, 1993, City Council approved Special Use Permit #2684 allowing a specified mix of uses to operate on the property and relieving the applicant of the requirement to secure an individual special use permit for every new tenant. The permit also provides for a parking reduction of 270 spaces, the maximum parking requirement possible under the allowed mix of uses. Per the two year review condition included in SUP#2684, City Council reviewed and reapproved the permit (SUP 95-0057). In December, 1996, Council added 15,000 square feet of commercial school use to the preapproved list of uses covered by the special use permit to allow the Art League to occupy space in the complex (SUP 96-0111). That permit was reviewed as required one year after approval (SUP 97-0153), at which time the SUP was also amended to increase the floor area allowed for restaurants from 3,000 to 5,000 square feet. In November, 2004, City Council approved an amendment to the umbrella special use permit to increase the space devoted to retail and restaurant uses and decrease personal service space.

PROPOSAL

The applicant proposes to increase retail and commercial school square footages at the Montgomery Center. The office and personal service uses will have decreased square footages to provide for the requested increases. The applicant also proposes to increase

the number of students allowed in the commercial schools from 78 to 125. The current and proposed square footages are outlined below:

	<u>CURRENT</u>	<u>PROPOSED</u>
Office	50,000 s.f.	35,000 s.f.
Personal Service	25,000 s.f.	15,000 s.f.
Retail	20,000 s.f.	30,000 s.f.
Restaurant (carry-out)	10,000 s.f.	10,000 s.f.
Commercial School	15,000 s.f. & 78 students	30,000 s.f. & 125 students

PARKING

A parking reduction of 270 spaces, the parking requirement under the allowed mix of uses, was approved as part of the special use permit for this site. Constructed in 1951 without parking, the Center has always operated without off-street parking. The parking reduction was intended to allow the Center to continue to operate as it had prior to its 1992 rezoning, while protecting the community from an intensification of uses.

Dine-in restaurants that occupy space in the Montgomery Center are not included in the parking reduction. All restaurants in the Montgomery Center are required to obtain individual SUPs and dine-in establishments are required to provide off-street parking.

ZONING/MASTER PLAN DESIGNATION

The subject property is zoned CRMU-X/Commercial Residential Mixed Use (Old Town North). All uses other than some residential uses require a special use permit in the CRMU-X zone. The proposed use is consistent with the Old Town North Small Area Plan chapter of the Master Plan which designates the property commercial residential mixed use. The small area plan calls for long term redevelopment of the site in residential uses; however, in the interim a wide range of uses are permitted with a special use permit.

II. STAFF ANALYSIS

Staff supports this amendment to alter the floor space allotments within the Montgomery Center. The increase in retail and commercial school space suits the nature of uses in the Montgomery Center. The re-allocation of floor areas does not increase the technical parking requirements. Furthermore, staff has noticed that parking demand is greatest during the day, and evening parking is more than sufficient. Transferring floor space from office and personal service to retail and commercial school will provide for greater parking turnaround and shift the demand more towards the evening hours when parking is more readily available.

With the following conditions, staff recommends approval of the special use permit.

III. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z) (SUP 2684)
2. This special use permit allows the following special uses within the existing Montgomery Center buildings: (P&Z)
 - a. office - up to 35,000 sq.ft.
 - b. personal service - up to 15,000 sq.ft.
 - c. retail - up to 30,000 sq.ft
 - d. carry-out restaurant - up to 10,000 sq.ft.
The owner/operator of any new restaurant shall be required to obtain a separate special use permit.
 - e. commercial school - up to 30,000 sq.ft. and up to 125 students.
3. New businesses that occupy more than 5,000 square feet and constitute a change in use shall require an amendment to this special use permit. (P&Z)
4. A parking reduction is granted for up to 270 spaces, including the four spaces waived in January 1992 for the Old Town Baker under SUP #1622-B. This waiver applies only to office, personal service, retail, commercial school and carry-out uses accommodated within the existing building and within the size limitations set out under Condition #2 above. (P&Z) (SUP 2684)
5. Each new business shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 for a security survey for the business and a robbery awareness program for all employees. (P&Z)

6. The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions, which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Richard Josephson, Deputy Director, Department of Planning and Zoning;
Richard Bray, Urban Planner.

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

F-1 T&ES has no objection to the proposed amendment.

Code Enforcement:

F-1 No Comment

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities
- C-2 Permits are non-transferable.
- C-3 Permits must be obtained prior to operation.
- C-4 Five sets of plans are to be submitted to and approved by this department prior to construction of any facility regulated by the health department
- C-5 Plans for food facilities must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- C-6 Pool plans must comply with Title 11, Chapter 11, Swimming Pools. Tourist establishment pools must have six (6) sets of plans submitted.
- C-7 Personal grooming facilities must comply with Title 11, Chapter 7, Personal Grooming Establishments.
- C-8 Tanning Salons must meet State Code Title 59.1, Chapter 24.1, Tanning Facilities.
- C-9 Massage facility plans must comply with Title 11, Chapter 4.2, Massage Regulations. All massage therapist must possess a current massage therapist certification, issued by the Commonwealth of Virginia in accordance with the Code of Virginia Chapter 599, § 54.1-3029 and must possess and Alexandria massage permit in accordance with Alexandria City Code Title 11, Chapter 4.2 prior to engaging in any massage activity.

- C-10 Coin-operated dry cleaning facility plans must comply with Title 9, Chapter 4, Coin Operated Dry Cleaning Establishments.
- C-11 Coin operated laundry plans must comply with Title 9, Chapter 5, Coin Operated Laundries.
- C-12 Hotels/Motels must comply with State Code 35.1, Hotels, Restaurants, Summer Camps and Campgrounds.
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.
- C-13 Food must be protected to the point of service at any outdoor dining facility.

Parks and Recreation:

- F-1 No comment.

Police Department:

- F-1 The Police Department has no objections to the proposed Umbrella SUP amendments.
- R-1 Each new business shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 and request a security survey for the business and robbery readiness training for all employees.

SUP #2007-0058
300 Montgomery Street

**REPORT ATTACHMENTS
AVAILABLE IN THE PLANNING AND ZONING OFFICE**